

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**CURTIS W. ADAMS, ET AL.,**

Plaintiffs,

v.

WELLS FARGO BANK, N.A., ET AL.,

Defendants.

Case No. 13-cv-05164-YGR

**ORDER GRANTING REQUEST FOR
EXTENSION OF TIME TO FILE AMENDED
COMPLAINT; DENYING MOTION TO DISMISS
AS MOOT IN LIGHT THEREOF****RE: DKT. NO. 62, 63, 64**

Plaintiffs Curtis W. Adams and Francis R. Adams, acting *pro se*, filed their complaint against Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) in the Superior Court of California, County of Alameda, on September 24, 2013. By Notice of Removal filed November 11, 2013, the complaint was removed to this Court. (Dkt. No. 1, Exhibit A, “Complaint.”) Wells Fargo moved to dismiss the complaint on a number of grounds, including *res judicata*.

On March 30, 2015, the Court issued its order granting the motion to dismiss without leave to amend as to Plaintiffs’ claim under the Truth In Lending Act (“TILA”), and with leave to amend as to all other claims. (Dkt. No. 61, “Order.”) Plaintiffs were given until April 21, 2015, to file an amended complaint, and were cautioned in the Order that “[i]f no amended complaint is filed by that date, this action will be dismissed.” (*Id.* at 10.)

Plaintiffs did not file an amended complaint by April 21, 2015, nor have they filed any amended pleading or any other document since the entry of the Court’s Order. On July 9, 2015, Plaintiff Curtis Adams filed a Request for Extension of Time To File Amended Complaint. (Dkt. No. 64.)

1 Good cause appearing, the Court **GRANTS** the Request for Extension of Time To File
2 Amended Complaint. Plaintiffs must file any amended complaint no later than **July 31, 2015**.
3 Should they fail to do so, this action will be dismissed. Defendant Wells Fargo shall file its
4 response to any amended complaint within 21 days thereafter.

5 Based upon the foregoing, Wells Fargo's motion to dismiss the action for failure to file an
6 amended complaint timely (Dkt. No. 62) is **DENIED AS MOOT**.

7 This terminates Dkt. No. 62, 63, and 64.

8 **IT IS SO ORDERED.**

9 Dated: July 10, 2015

10 
11 **YVONNE GONZALEZ ROGERS**
12 **UNITED STATES DISTRICT COURT JUDGE**

United States District Court
Northern District of California